

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

BITMANAGEMENT SOFTWARE GMBH,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,

Defendant.

Case No. 16-840 C

Senior Judge Edward J. Damich

**JOINT SUPPLEMENTAL STATUS REPORT AND MOTION TO SCHEDULE
EXPERT DISCOVERY AND SUMMARY JUDGMENT BRIEFING**

1. Plaintiff Bitmanagement Software GmbH (“Bitmanagement”) and Defendant the United States of America (the “Government”), respectfully submit this joint proposal and motion requesting that the Court approve the Parties’ proposed schedule for expert discovery and for the filing of summary judgment motions set forth below.
2. The Court entered the current scheduling order on November 13, 2017 (Dkt. No. 20) following the Parties’ earlier joint motion for an extension of fact discovery on November 11, 2017. The Court ordered that the Parties meet and confer within 21 days of the close of fact discovery to discuss “an appropriate sequence and schedule for expert discovery,” to “file a supplemental status report detailing the schedule for expert discovery” within 7 days of conferring, and that “[t]he deadline to complete expert discovery and date by which to [make] expert witnesses available for depositions shall be 91 days later, unless an earlier date is agreed to by the parties.”
3. The Parties completed fact discovery on December 22, 2017.

4. On January 10, 2018, counsel for Bitmanagement and counsel for the Government met and agreed to the following schedule for expert discovery, subject to the Court's approval:

<u>Event</u>	<u>Proposed Deadline</u>
Plaintiff's expert disclosures and reports	February 16, 2018
Defendant's expert disclosures and reports	March 23, 2018
Plaintiff's rebuttal expert disclosures and reports	April 20, 2018
Close of expert discovery including depositions	May 18, 2018

5. The current scheduling order also provides that motions for summary judgment be filed 60 days after the close of fact discovery. In light of the contemplated schedule for expert discovery, the Parties propose to extend this date and set forth a full schedule for summary judgment briefing as follows:

<u>Event</u>	<u>Proposed Deadline</u>
Motions for Summary Judgment	March 2, 2018
Responses to Summary Judgment Motions	April 13, 2018
Reply Briefs in Support of Summary Judgment	May 4, 2018

6. The Parties believe the proposed schedule will provide the Parties sufficient time to complete expert discovery and any summary judgment briefing. Accordingly, the Parties respectfully request that the Court enter an order setting forth the Parties' proposed schedule.

Dated: January 18, 2018

Respectfully Submitted,

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Respectfully submitted,

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**electronically signed with permission.*